

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF OKLAHOMA

SISTERS OF MERCY HEALTH )  
SYSTEM, ST. LOUIS, INC. )  
Plaintiff, )

VS. )

CASE NO. CIV-05-115-F  
CONFIDENTIAL-UNDER SEAL

G. PAUL KULA, M.D., an )  
individual, and PATRICIA )  
BACHHOFFER, an individual, )

Defendants. )

COPY

DEPOSITION OF BOBBY THOMPSON

TAKEN ON NOVEMBER 8, 2005

ON BEHALF OF THE DEFENDANT

IN ARDMORE, OKLAHOMA

PLAINTIFF'S  
EXHIBIT

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APPEARANCES:

MR. CHRIS L. FOX, Attorney at Law, HERON, SWEET &  
FOX, 2601 Northwest Expressway, Suite 707W, Oklahoma  
City, Oklahoma 73112, appearing on behalf of the  
Plaintiff.

MR. MICHAEL G. SMITH, Attorney at Law, SMITH,  
SHEW, SCRIVNER & CORBIN, 120 E. 14th Street, P.O. Box  
1373, Ada, Oklahoma 74821-1373, appearing on behalf of  
the Defendant.

MR. CHARLES J. WATTS and MR. JOHN EDWARDS,  
Attorneys at Law, WATTS & EDWARDS, 1001 Northwest 63rd  
Street, Suite 101, Oklahoma City, Oklahoma 73116,  
appearing on behalf of the Defendant.

MR. RYAN WILSON, Attorney at Law, HARTZOG,  
CONGER, CASON & NEVILLE, 201 Robert S. Kerr Avenue,  
1600 Bank of Oklahoma Plaza, Oklahoma City, Oklahoma  
73102-4216, appearing on behalf of the Deponent Bobby  
Thompson.

REPORTED BY: SUSAN G. STOTTS, CSR

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1 there.

2 Q. Did you inquire what that problem was?

3 A. Yes, sir.

4 Q. What was it?

5 A. There was some alleged allegations made  
6 against him related to some relationships with some  
7 of his co-workers, was what was reported to me.

8 Q. Well, can you be more specific than that?

9 A. I don't recall all the details.

10 Q. When you checked -- did you check with  
11 the licensure board?

12 A. Yes, sir.

13 Q. Did you -- now, you've told me about one  
14 source. That's previous employers. You've also  
15 told me about the National Physicians Data Bank?

16 A. Right.

17 Q. What did you find in the National  
18 Physicians Data Bank?

19 A. I do not recall.

20 Q. Were you aware, when you hired Dr. Kula,  
21 that he had a history of sexual misbehavior with  
22 his patients or some of his patients?

23 A. With one patient, yes, sir.

24 Q. So you hired Dr. Kula knowing that he had  
25 a sexual relationship with one patient?

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1 A. Yes, sir.

2 Q. You know that's reprehensible and  
3 abhorrible conduct, don't you?

4 A. No, sir.

5 Q. Are you aware that this sexual  
6 relationship with the patient was generated through  
7 the physician-patient relationship with Dr. Kula?

8 A. Yes, sir.

9 Q. You know he ultimately divorced his wife  
10 and married his patient?

11 A. Yes, sir.

12 Q. And you considered that and weighed that  
13 in your decision to accept Dr. Kula to counsel  
14 female patients as well as male patients; is that  
15 correct?

16 A. Yes, sir.

17 Q. Did you ascertain the details of how  
18 Dr. Kula got into a sexual relationship with his  
19 patient? And I'm referring to his wife now.

20 A. Yes, sir.

21 Q. What were you told?

22 A. I interviewed both he and his wife at that  
23 time.

24 Q. Did you ascertain that the sexual  
25 relationship developed out of the physician-patient

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1 relationship?

2 A. I don't recall.

3 Q. Well, that's a pretty important factor,  
4 isn't it?

5 A. Yes, sir.

6 Q. Now, I believe -- I'll be corrected if  
7 I'm wrong, but I think Dr. Kula has even admitted  
8 that it arose in the context of a physician-patient  
9 relationship; is that your memory?

10 A. I don't have any reason not to believe  
11 that's true, and I made that assumption during the  
12 interview process.

13 Q. Why didn't that cause you some hesitation  
14 in hiring this doctor?

15 A. Because anytime you find anything on a  
16 doctor that's of any question, you want to delve  
17 into that further.

18 Q. I don't think I made myself clear, and I  
19 apologize. Why did you hire a psychiatrist that  
20 you know had a history of sexual misconduct with a  
21 patient?

22 A. After pretty thorough investigation by  
23 both myself and the credentials committee of the  
24 hospital, we believed that he was okay at this  
25 point.

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1 Q. Well, if -- and that's an italicized  
2 word. If the allegations of my client are correct,  
3 then you will have been wrong.

4 A. Yes, sir.

5 Q. What did the Physicians National Data  
6 Bank show you regarding his licensure --

7 A. That he had had a restriction on his  
8 license at one time.

9 Q. What was the restriction?

10 MR. FOX: Object to the extent that the  
11 National Practitioner Data Bank information is  
12 confidential and privileged by federal law. I'd just  
13 like to note that for the record.

14 MR. SMITH: You may answer.

15 THE WITNESS: I do not recall the details,  
16 but we've discussed the allegations, and I was aware  
17 of it because he had divulged that as a part of his  
18 application, and it was no different than what he had  
19 divulged.

20 Q. (By Mr. Smith) And you knew that his license  
21 had been suspended?

22 A. Yes, sir.

23 Q. Did that cause you any concern?

24 A. Yes, sir.

25 Q. But you hired him anyway?

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1 the hospital, Norman Regional Hospital?

2 A. I've seen none of that, only what he  
3 divulged to us. That was not shared with us.

4 Q. What did he divulge to you that he had  
5 done sexually or alleged to have done sexually  
6 inappropriate at the hospital?

7 A. As I recall, he was alleged to have made  
8 some suggestive remark to one of the employees  
9 there.

10 Q. Sexually suggestive remark?

11 A. Yes, sir.

12 Q. Were you aware of any allegation of him  
13 performing breast exams and/or vaginal exams on  
14 psychiatric patients?

15 A. No, sir.

16 Q. Did you inquire in that regard?

17 A. Not specific to that question, but we  
18 inquired, and Norman hospital only released to us  
19 certain limited information.

20 Q. And that was not among the information?

21 A. No, sir.

22 Q. Were you informed of his outburst of  
23 cursing and denunciation of female employees?

24 A. No, sir.

25 Q. Do you feel that the Norman hospital

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